

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TENNESSEE
AT KNOXVILLE**

UNITED STATES OF AMERICA,

Plaintiff,

v.

SIERRA DANIELLE MESSER,

Defendant.

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No. 3:15-CR-138

JUDGES VARLAN/GUYTON

FACTUAL BASIS

Comes now the United States of America, by and through the United States Attorney for the Eastern District of Tennessee, and provides the following facts which satisfy the offense elements in support of the guilty plea and conviction of defendant Sierra Danielle Messer. These are the facts submitted for purpose of the defendant's guilty plea and they do not necessarily constitute all of the facts in the case. Other facts may be relevant to sentencing. The United States retains the right to present additional facts to the Court to ensure a fair and appropriate sentence in this case.

1. On or about September 4, 2014, in the Eastern District of Tennessee, defendant, utilizing a mobile computing device connected to the Internet, posted on an image-hosting website, the computer servers of which were located outside of the United States, an image depicting a partially-clothed minor female lying on her back with her legs pulled up above her head, exposing the minor female's genitalia.

2. On or about June 6, 2015, in the Eastern District of Tennessee, defendant sent images of child pornography via a Google email account to an undercover investigator. One of the images depicts a minor female's genitalia with an erect adult male penis next to the minor female's genitalia. The minor female is wearing black garter belts around her thighs in the image.

A second image that defendant sent to the undercover investigator depicts a prepubescent minor female with her arms and legs pulled up above her head, exposing the minor female's genitalia.

3. On September 22, 2015, a federal search warrant was executed at the defendant's residence in the Eastern District of Tennessee. Pursuant to the search warrant, the defendant's cellular telephone was seized. A forensic examination of the defendant's cellular telephone confirmed that the defendant had downloaded and possessed images depicting minors engaged in sexually explicit conduct.

Respectfully submitted this 9th day of December, 2015.

NANCY STALLARD HARR
ACTING UNITED STATES ATTORNEY

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CERTIFICATE OF SERVICE

I hereby certify that on December 9, 2015, the foregoing was filed electronically. Notice of this filing will be sent by operation of the Court's electronic filing system to all parties indicated on the electronic filing receipt. Parties may access this filing through the Court's electronic filing system.

By: s/ Matthew T. Morris
Matthew T. Morris
Assistant United States Attorney